

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

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| DENNY LINDLEY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 08-CV-379-CVE-PJC |
| |) | |
| LIFE INVESTORS INSURANCE |) | |
| COMPANY OF AMERICA, |) | |
| |) | |
| Defendant. |) | |


OPINION AND ORDER

Before the Court are the Motion to Compel Documents the Court Ordered Defendant to Produce in its April 28, 2010 Order (Dkt. #382), or, in the alternative, to Set a Date Certain by which Defendant is to File a Motion for Reconsideration (Dkt. #383), the Motion to Compel the Immediate Production of Documents the Court Ordered Life Investors to Produce in its Opinion and Order of June 18, 2010 (Dkt. #412) and the Rule 37 Motion for Order to Show Cause Why Defendant Should Not Be Held in Contempt of Court for Its Refusal to Comply with the Court's June 18, 2010 Order (Dkt. #420) filed by the Plaintiff, Denny Lindley ("Lindley"). Each of these motions concern Defendant Life Investors Insurance Company of America's ("Life Investor's") failure to produce documents the undersigned in his February 17, 2010 Opinion and Order (Dkt. #297) and Chief Judge Claire V. Eagan in her April 28, 2010 Opinion and Order (Dkt. #357) and again in her June 18, 2010 Opinion and Order (Dkt. #411) found neither protected by attorney-client privilege nor attorney work product and thus subject to discovery. Lindley argues that the documents should not only be ordered immediately produced but the Court should issue a show cause order to Life Investors regarding why it should not be held in contempt for its refusal to comply with Chief Judge Eagan's June 18, 2010.

The Court orders Life Investors to produce the subject documents to Lindley on or before Monday, July 12, 2010, by the close of business. The Court denies Lindley's show cause motion; however, if there is any further delay in producing the documents, the Court will entertain a motion for sanctions.

Accordingly, Lindley's Motion to Compel Documents the Court Ordered Defendant to Produce in its April 28, 2010 Order (Dkt. #382) and Motion to Compel the Immediate Production of Documents the Court Ordered Life Investors to Produce in its Opinion and Order of June 18, 2010 (Dkt. #412) are **GRANTED**; Lindley's Motion to Set a Date Certain by which Defendant is to File a Motion for Reconsideration (Dkt. #383) is **MOOT**; and Lindley's Rule 37 Motion for Order to Show Cause Why Defendant Should Not Be Held in Contempt of Court for Its Refusal to Comply with the Court's June 18, 2010 Order (Dkt. #420) is **DENIED**.

IT IS SO ORDERED, this 8th day of July, 2010.



Paul J. Cleary
United States Magistrate Judge